G. R. S. IX-5]

Previous references.

S&A 635-12(1-2) 1912-13. (Courts)

File No. 252

Serial Nos. 1

Later references.

Cts 307-12
Sh 1-3.
By Cepts 1914.
Cts 229-17(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B for May 1917

SUBJECT.

General Sanction for the Conveyances of the Judges of the Chief Court being sent by Rail when they go out on inspection work.

W D 88—GPB—50,000—24-7-16

Mrs Abdur Rahman
20.19

G.R.S. 11] 1912-13

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 252 of 1912-13

FILE HEADING. for

General Sanction for the conveyances of the Judges of the Chief Court being sent by rail when they go out on inspection work.

From

The Registrar, Chief Court

No. 3443/244 Dated 27/28. 3. 1913 Received 29. 3. 1913

Diary No.	Enclos.	Spare Copies.	Serial No.
J2734			1

BRIEF ABSTRACT OF LETTER.

States that considerable difficulty is experienced in procuring suitable conveyance when Judges of the Chief Court go on inspection work to places far away from a railway station and that it has therefore been found necessary to send their own conveyance by rail and request that general sanction may be accorded to the Judge taking their conveyance by rail as it is found inconvenient to obtain the special sanction of Govt on every occasion.

NOTES AND ORDERS.

Pay Y — Subd with G.O. no. G.6442-64/G.M. 197-07-6, dy 6th May 1908. Br II may be consulted as directed in para 5 of the G.O. pump.

X — KG-129

2/4/1913 H.P.B. — 2) To Br II for favour of opinion SDL 3/4

NOTES—First Sheet.

GPB—30,000—12-3-11

G. R. S. 12]

General and Revenue Secretariat.

File No. 252 of 1912-3

Serial No.

Genl. Mis. 1157-12

Sub 2.
HDM-77 BBR
3/4/13

3 The taking of carriages Horses to get a Conveyance adds to the ordinary Rate of T.A. The ordinary Rate of T.A. are supposed to cover all these charges and questions of prestige are only taken into account when fixing the Rate of mileage allowable. Only when the interests of Govt are better served & allowing these carriages Horses were taken at State Cost that Govt can sanction Recovery as a general Case. The reasons adduced & the Recommendation make out a Case on the part of the Commissioner for it is desirable to grant it.

Accepted

4 As far as the request is one of general sanction under Art 539 M.S.R or art 1000 C.S.R. I agree with Asst Secy Fin. These rules must always be strictly interpreted and applied only to cases where it can be shown that public interests (as distinguished from the purse of the officer concerned) would suffer if conveyance are not carried by rail

NOTE—Contn. sheet.

GIP—65,000—17-C-12.

G. R. S. 12]

General and Revenue Secretariat.

E734 3

Cb File No. 252 of 1912-3

Serial No.

5) But there is a rule in the C.S.R. applicable to high officers which meets the requirements of such cases in British India viz. 1062 C.S.R. The corresponding rule[x] in the M.S.R. has not been amended so as to include conveyances. I am considering the whole subject and hope to submit definite proposals to Govt in a short time. In the circumstances of Mysore, hackney carriages of suitable type not being available even at Dist headquarters officers of position are no doubt subjected to some difficulty when they go out.

Art 597

7l. nis
1157-12

6) A reply may be sent to the Chief Court to the effect that general sanction under Art 597 M.S.R or 1000 C.S.R. does not seem to be necessary but Govt are contemplating to introduce amendments to the M.S.R. on the lines of 1062 C.S.R. which will to some extent meet the requirements of cases like these contemplated by the Court.

M
5/4

brm
Sd
8/4/13

Dy Secy) Draft accordingly SDM 10/4
10/4

P.T.O.

NOTE—Contn. sheet.

GIP—65,000—17-C-12.

2734

General and Revenue Secretariat.

File No. 252 of 1912-13

Serial No.

8 Subº with a draft in accordance with the financial opinion in para 6.

Copies of the C.S. Reports are not available - hence not supplied SW

Kg. - 129
11/4/13 SW 12/4

(1st Caretaker) (Dy Secy) SW 12/4 (Dy Secy) 13/4

9 I have never been able fully to appreciate this Controversy - centering chiefly around the expression 'in the public interest' 13/4 SW

10 I think the general permission asked for by the Bh. Court may well be given The provns in the CS Regns referred seems pretty much to come to the same thing

16/4/13

SW 17/4 17/4

Ch for a draft ltr

SW 17/4 Subº with a draft. It is a matter

P.T.O.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

27-7-24

[R. S. 12]

General and Revenue Secretariat.

65 File No. 252 of 1912-13

Serial No.

for orders if the general Sanction now proposed should make any reference to 'Lent officers', as this will not affect the scale of allowances admissible to them but only changes the procedure of business.

Reg.-129
18/4/1913 SW

12) Dy Secy) SW 22/4

Draft is put up as per para 5 of 10.- Kind attention is invited to paras 7 & 8 of G.O. FL 8328-33, dated 6/5/07:- under the former which the first draft has been put up.

1st Comptroller) Dwarkanath 22/4 SW 22/4

13 Hm 22/4/13

2671 24.4.13

23/4 Dwarkanath 24/4 SW 24/4

14. I shall be glad to know if the concession might be given on condition that a certificate is entered on the bill to the effect that the carriage was required exclusively for Government purposes. In cases of mixed journeys, the sanction of Government should be obtained.

8.5.13 KG

KG 8/5

1st Comptroller) Dwarkanath 12/5 SW

15 The officer goes on Govt duty

B

NOTE—Contn. sheet.

GPB—65,000—17-6-12

R. S. 12]

General and Revenue Secretariat.

C/5 File No. 252 of 1912-13

Serial No.

and the Conveyance of Course must be for his use. I cannot understand what exactly would be meant by exclusively for foot purposes', or by 'mixed journeys'. I can for leaving the matter where it would be under the Regns without introducing any certificate.

12/5/13

Dewan

3047
15.5.13

Dewan)

Dy 15/5

Dy Collector 15/5

Dft signed above

Dewan

Dy 15/5

(15/5/13 Dhan wages sworn to Subscribed for him by Sr Connaller in presence before me EB)

Sr Connaller)

Dy Collector

May issue as Course altered (which Correction is apparently for not allowing the Conveyance to be brought back by Railway

Dy 15/5

B W/7.

NOTE—Contn. sheet.

G1E—65,000—17-6-12.

Issue 15/5/13 Dewan 4/6 15/5/13

(7

[R. S. 12]

General and Revenue Secretariat.

cls, File No. 252 of 1912-13

rial
lo.

To The Comptroller, Mysore Gat
The Registrar, Chief Court
No J 3783-4 dy 6.6.13

Accords general sanction to the Judges of the Chief Court taking their conveyance by rail for the outward journey whenever they wish to do so while proceeding on inspection work

3

From the Registrar, Chief Court
No 4395/344 dy 28.6.1913

Adverting to the, requests that the restriction against conveyance being taken by rail in the outward journey may be removed.

The Chief Court point out that the Dt & Sessions Judges are entitled to take conveyance by rail at Govt cost in both directions. But this concession is allowed to them only when they go out to hold Sessions whereas the work that takes the Judges of the Chief Court out on circuit is inspection of subordinate courts.

Vide Excep 2 to art 539 M.S.R.

By II which was canvassed before granting the concession for the outward journey is not in favour of according general sanction

Vide paras 3 to 6 of their letter

Subd Orders.

Dy. -129 SW
16/7/13 16/7
(1st annexure)

Dy Secy) Supdt
Dy Secy 16/7
17/7

Please see note on the accompanying file.

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

28/7/13

G. R. S. 12]

General and Revenue Secretariat.

CS File No. 252 of 1912-13

8

Serial No.

Extract from the decision of the Council that met on the 11th Feb 1914 - vide CS file 307 of 1912

"The general question of reconsidering the order of 6th June 1913 may be brought up for consideration in Council with an exhaustive note from the Financial Department."

3

This may now be sent to Br II for further report.

Kg. 116 Nil
31-3-1914

H Cons 1143

H PB 31/3

Yes
Sd/ 31/3

COMPTROLLER'S OFFICE
CIVIL BRANCH
- 5 MAY 1914
BANGALORE
MYSORE GOVT.

Forwarded unofficially to the Comptroller, Mysore Government, for favour of noting whether any action has been taken in the matter and whether any proposals are expected to be made by him in the near future.

By Order

M. Akbar Ali Saheb
for the Secretary

R. 30687 5-5-14

R. 30687/14

I think it has been decided by

NOTE—Contn. sheet No. H. P. B.

GPB—60,000—7-11-13

(9

Serial No.

~~445~~
587

the Dewan Saheb in another case (Mr Bell's) that Art 597 M.S.R. need not be modified on the lines of Art 1062 C.S.R. A/S Sir will please verify if that is so. In that case the F.D. will have no proposals to submit in the matter. JM 7/5

Hay P

The file relating to Mr Bell's case has been got back from the Dewan's Office and is submitted herewith, as desired. No official orders have yet been passed in that file on Mr Bell's further representation.

H Mis 3219/14
4/9/14

186

(H See 7) 31.8.14

The daily allowance which an officer draws is supposed to cover all expenses such as lodging, conveyance &c at the place of halt. The officer draws the daily allowance & arranges for all he wants. If suitable provisions are not available at the place of halt & have to be carried from headquarters, the extra cost must be paid by the officer himself. Similarly a conveyance may have to be taken from headquarters at the officer's own expense if none is available at the place

GPB—60,000—25-9-13.

R. S. 12]

General and Revenue Secretariat. File No. of 191

9

Serial No.

321-14

of halt. Officers cannot complain that the allowances drawn for a particular journey are inadequate & must be supplemented by an additional amount, unless they undertake at the same time to refund the profits in other instances.

I adhere to the opinion expressed in my note of 5.4.13 that general sanction is not necessary either for the ~~forward~~ outward or the return journey.

Will Asst Secy Fin please find out if the order of 6.6.13 according general sanction for outward journeys was confirmed by the Financial Branch & if so in what authority?

4/3/14

P. W

71 Tho:-
1021 of 16.

Subd re abese-

Sec 635-12 confirming the order of 6-6-13 in the H Branch put up. Kind attention is invited to the remarks of the H Secy on page 3 of the notes in the said file.

Please put up a copy of order recently issued about taking conveyances by rail at Government expense.

17/4/16.

Copy of G.O. is pulup. as the general question has

12.4.16.

20/11

S.?

This is one of the files left by mr PPR submitting all the current papers there are 12 files of this kind which are

1) Tonga dis
2) Cancellation order
3) Recovery

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

/16

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

been considered and decided by Govt, these papers may perhaps be filed. The office note above explains the circumstances under which the order of 6.6.'13 was communicated to the Comptr. It is for orders if steps should be taken to include this order in the M.S.R. &

Which order?

Exped on 23/11

Hester?)

Mr

21.11.16

1) The order of 6.6.1913 maybe included.

2) Why shd not the general order of 17.3.16 be included in the M.S.R as an explanation?

Mr

23/11

(1) will be done-

(2) It is not usual to include an Explanatory order of the kind in the MSR. If we had a Companion to MSR it could will be inserted in it. It will be included in the Compilation of Standingorders-

Hester?)

Mr 23.11.16

7-V-0102 of 16.

Put up A+C Slips about (1) Mr 1/12

See Secy's note in the Secret Archives

Mr

Send with Slips

Asst Secy 2/12

A.V.D

NOTE—Contn. sheet.

GPB—70,000—17-12-15

2734-15 Y2-13

G. R. S. 12]

General and Revenue Secretariat. | CS File No. 252 of 1912.

Serial No.

Question 2 (b) article 539 as it now stands allows Sessions Judges to take their Conveyance by rail when they go out to hold Sessions - apparently for both journeys and irrespective of the general Conditions of article 539. M.S.R.. But in the case of Chief Court Judges the order of 6.6.13 allows Conveyances being taken at Govt. expense only for outward journeys and only subject to the provisions and limitations of article 539. It would be incongruous to put these two rulings side by side in the M.S.R. Subd. for orders. If in spite of this an A.C.S. to the M.S.R may be put up. 13.12.16

There is no incongruity - Sessions Judges are not allowed both ways, or even one way when going on inspection - When going on inspection officers can earn mileage - But when going to hold sessions there is no such opportunity -

Issue
16
9/1/17

No. 10921 of 16

What is Rule
17.2.16

NOTE—Contn. sheet.

SECRETARIAT III GEN. & REVL. JUDICIAL FEB 1917

Noted in S.A. vol; vide list no 37 of 5/2/17. 4 Mts Ed.

To Branch IV.
23/2/17

GPB—70,000—17-12-15

(12

G. R. S. 12]

General and Revenue Secretariat. | C/S File No. 252 of 1912.

Serial No. Subd

There is nothing further to be done with reference to the papers on the file which may therefore be filed as kind perusal.

Msd Hdt.
21.5.17

B
21/5
23

Es
21/5

NOTE—Contn. sheet.

GPB—70,000—17-12-15

no: 3443/244

Chief Court of Mysore,

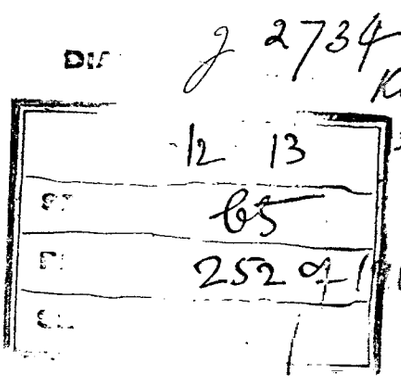
Bangalore, dated 27th March 1913.

28/2

From

The Registrar of the

Chief Court of Mysore.



To

The Secretary to the

Government of Mysore,

General and Revenue Departments.

S i r ,

I am directed to state that considerable difficulty is experienced in procuring means of conveyance suitable to their status and position when Judges of the Chief Court go on inspection work to places away from a railway station and that it has therefore been found necessary to send their own conveyances by rail in advance, so that they may be ready for their onward journey without any loss of time. Under the rules now in force, the general or special sanction of Government should be obtained to entitle the Judges to send their conveyances by rail at the expense of Government (Article 539 of the Mysore Service Regulations so far as regards Mysore Officers and order of Government No: G. 6442-64/G,M. 197-07-6 dated 6th May 1908, so far as regards lent officers).

As the work of inspection of subordinate courts by the Judges of the Chief Court is of great importance and as it will be attended with much inconvenience if on every occasion on which such inspection is made or proposed to be made the special sanction of Government has to be applied for and obtained, I am to request that general sanction may be accorded to the Judges taking their conveyances by rail at Government cost whenever they

go

go out on inspection work, subject in the case of lent officers to such limitations as may be prescribed in that behalf.

I have the honor to be,

S i r,

Your most obedient servant,

REGISTRAR.

H.C.C.

G.R.S. 28]

Compl no 7618
5 & H 635-12-1
12-7-13 65

15

File No. 252 of 1912-13
Serial No. 2

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

the 191

READ—

Letter no. 3443/2441 dt the 27th March 1913, from the Registrar, Chief Court, representing that considerable difficulty is experienced in procuring means of conveyance

Date of issue 6-6-13

Signed by Mr SP Rajagopalachar

Papers under Disposal

~~ORDER THEREON. No.~~

suitable to their status when Judges of the Chief Court go on inspection work to places away from a railway station and that it has therefore been found necessary

P.T. over.

SUBJECT.

to send their conveyances by rail and requesting general sanction of Govt to the Judges taking their conveyances by rail at Govt cost whenever they go out on inspection work as much inconvenience is felt in applying for Special sanction of Govt on every such occasion.

Order thereon — No J 8733-4.

Govt are pleased to accord general sanction to the Judges of the Chief Court taking their conveyances by rail for the outward journey at Govt cost, whenever they go out on inspection work, subject to the provisions and limitations contained in article 5-39, M. S. R.

SBR

for CHS Secy to Govt

DMH 22/4

To The Comptroller, through Br II

The Registrar, Chief Court

RO 24.5.13

GPB.—20,000—2-10-11

DFi KG-29 18/4/13

18/4/13

WWW

17

Chief Court of Mysore,

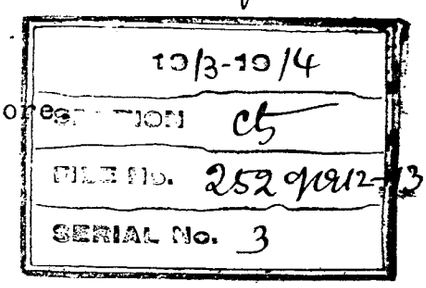
No: 4395/344

Bangalore, dated 28th June 1913.

284

From

DIARY No. 4..2..



The Registrar of the
Chief Court of Mysore.

To

The Secretary to the
Government of Mysore,
General and Revenue Departments.

S i r ,

Flag 3

Adverting to Proceedings of Government No: J 3733-4/Cts 252-12-2 dated 6th instant according general sanction to the Judges of this Court taking their conveyances by rail for the outward journey at Government cost, whenever they wish to do so while proceeding on inspection work, I am directed to state that it seems an anomaly that while the District and Sessions Judges are authorised to take their conveyances by rail at Government cost in both directions, (Article 539, exception 2, Mysore service Regulations), Judges of the Chief Court can only do so as regards the outward journey. I am therefore to request that Government may be pleased to accord their sanction to this restriction being removed.

I have the honor to be,

S i r ,

Your most obedient servant,

Ag: REGISTRAR.

H.C.C.